

7/8⁶

Notice of Allowability

Application No.

09/804,198

Examiner

John F Belena

Applicant(s)

OBARA, RIKURO

Art Unit

3746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment received on 10/17/2002.
2. ☒ The allowed claim(s) is/are 1-10.
3. ☒ The drawings filed on 13 March 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the top margin (not the back) of each sheet. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No. <u>6</u> |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____ | 6 <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

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United States Patent & Trademark Office

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with attorney Israel Gopstein on 11/7/02 @ 3:48 PM EST.

IN THE TITLE

The title of the invention "AXIAL ELECTRIC FAN BLOWER" has been changed to -AXIAL ELECTRIC FAN BLOWER WITH ELECTRIC

13

Art Unit: 3746

COMPONENTS HOUSING SEALED FROM MOISTURE, DIRT, AND
DUST OR OTHER HARMFUL GAS--.

IN THE ABSTRACT

Page 15, line 1, "ABSTRACT" has been changed to --ABSTRACT OF
THE DISCLOSURE--.

IN THE SPECIFICATION

Page 1, line 1, the title "BLOWER" has been changed to --AXIAL

B' ELECTRIC FAN BLOWER WITH ELECTRIC COMPONENTS
HOUSING SEALED FROM MOISTURE, DIRT AND DUST OR OTHER
HARMFUL GAS--.

IN THE CLAIMS

Claim 1 has been amended as follows: --1. (Twice-Amended) A

B' blower having an impeller [adapted to be] rotated by means of a motor,
comprising:

C(a base for supporting the motor in a frame,

the base provided at a central portion of [a] the frame and supported
at the central portion of the frame by stays; and

B

82 a chamber [for accommodating electrical components] with a front and back portion formed in the base for accommodating electrical components, the back portion of the chamber is [adapted to be] sealed by a removable cover.--

C 1 [Claim 2 has been amended as follows] --²₁. (Twice-Amended) A blower having an impeller [adapted to be] rotated by means of a motor, comprising:

a base for supporting the motor in a frame,
the base provided at a central portion of [a] the frame and supported at the central portion of the frame by means of stays; and
a bearing apparatus for supporting a central portion of the impeller, the bearing apparatus including:
a sleeve,
a stepped shaft including a larger diameter portion and a reduced diameter portion,
a first raceway formed around an outer peripheral surface of the larger diameter portion,

13

a second raceway formed on an inner peripheral surface of the sleeve
so as to correspond with the first raceway,

B2 balls of a first row interposed between the first and second raceways,
an inner ring to the sleeve fit over the reduced diameter portion of
the shaft and secured thereto,

C1 a third raceway formed around an outer peripheral surface of the
inner ring,

a fourth raceway formed on the inner peripheral surface of the sleeve
so as to correspond with the third raceway,

balls of a second interposed between the third and fourth raceways,
and

a chamber with a front and rear portions [for accommodating
electrical components] formed in the base for accommodating electrical
components,

the chamber having an opening at [a] the rear portion thereof,
wherein the rear opening of the chamber is occluded by a cover
detachably mounted on the base.—

B

Art Unit: 3746

[Claim 3 has been amended as follows:]—3. (Twice-Amended) A

blower having an impeller [adapted to be] rotated by means of a motor,
comprising:

B2 a base for supporting the motor in a frame, the base is provided and

C (supported at [the] a central portion of [a] the frame by means of stays; and

a chamber with a front and back portions [for accommodating
electrical components] formed in the base for accommodating electrical
components, the back portion of the chamber is [adapted to be] sealed by a
removable cover,

wherein the chamber is formed by the base having a flange extending
[backward] to form the back portion from [the] an outer periphery thereof
[to form] forming a cylindrical body with [a bottom] a closed end, the
chamber having [an] a rear opening at the [rear] back portion thereof, and
the rear opening of the base is occluded by the cover detachably mounted
by screws on the base.—

[Claim 4 has been amended as follows:]—4. (Twice-Amended) A

blower having an impeller [adapted to be] rotated by means of a motor,
comprising:

B

a base for supporting the motor in a frame, the base is provided and supported at [the] a central portion of [a] the frame by means of stays; and a bearing apparatus for supporting a central portion of the impeller,

B2 the bearing apparatus including:

a sleeve,

C1 a stepped shaft including a large diameter portion and a reduced diameter portion,

the first raceway formed at an [appropriate] axial position around the outer peripheral surface of the large diameter portion,

the second raceway formed on an inner peripheral surface of the sleeve so as to correspond with the first raceway,

balls of a first row interposed between the first and second raceways, an inner ring to the sleeve fit over the reduced diameter portion of the shaft and secured thereto,

the third raceway formed around an outer peripheral surface of the inner ring,

the fourth raceway formed on the inner peripheral surface of the sleeve so as to correspond with the third raceway,

B

balls of a second row interposed between the third and fourth raceways, and

B2
C1 a chamber with a front and back portions [for accommodating electrical components] formed in the base for accommodating electrical components, the back portion of the chamber is [adapted to be] sealed by a removable cover,

wherein the chamber is formed by the base having a flange extending [backward] to form the back portion from [the] an outer periphery thereof [to form] forming a cylindrical body with [a bottom] a closed end, the chamber having [an] a rear opening at the [rear] back portion, and the rear opening of the base is occluded by the cover detachably mounted by screws on the base.

Claim 6 has been amended as follows: -6. (Amended) A blower

C1
B3 having an impeller [adapted to be] rotated by means of a motor, comprising:

a base for supporting the motor in a frame,

the base provided at a central portion of [a] the frame and supported at the central portion of the frame by means of stays; and

B

Art Unit: 3746

B3
C1 a chamber with a front and rear portions [for accommodating electrical components] formed in the base for accommodating electrical components,

C1 the chamber having an opening at [a] the rear portion thereof, wherein the rear opening of the chamber is occluded by a cover detachably mounted on the base--

Claim 8 has been amended as follows: --8. (Amended) The blower as

B4
C1 claimed in claim 6, wherein the chamber is formed by the base having a flange extending [backward] to form the rear portion from [the] an outer periphery thereof [to form] forming a cylindrical body with [a bottom] a closed end--

Claim 10 has been amended as follows: --10. (Amended) The blower

B5
C1 as claimed in claim 2, wherein the chamber is formed by the base having a flange extending [backward] to form the rear portion from [the] an outer periphery thereof [to form] forming a cylindrical body with [a bottom] a closed end.

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ALLOWABLE SUBJECT MATTER

2. Original claim 5 is allowed.
3. Original twice-amended claims 1-4 are allowed.
4. New claims 7 and 9 are allowed.
5. New amended claims 6, 8 and 10 are allowed.
6. The following table contains a listing of original and final claim numbers.

Original / New Claim No.	Final Claim No.
1-10	1-10

REASONS FOR ALLOWANCE

7. The following is an examiner's statement of reasons for allowance: in the disclosure that follows the combination of underlined structure(s)/function(s) in structural/functional concert with non-underlined subject matter overcome the prior art where the prior art

13

neither discloses nor makes obvious a blower having an impeller rotated by means of a motor, comprising:

a base for supporting the motor in a frame, the base is provided and supported at a central portion of the frame by means of stays; and

a bearing apparatus for supporting a central portion of the impeller, the bearing apparatus including:

a sleeve,

a stepped shaft including a large diameter portion and a reduced diameter portion,

the first raceway formed at an axial position around the outer peripheral surface of the large diameter portion,

the second raceway formed on an inner peripheral surface of the sleeve so as to correspond with the first raceway,

balls of a first row interposed between the first and second raceways,

an inner ring to the sleeve fit over the reduced diameter portion of the shaft and secured thereto,

the third raceway formed around an outer peripheral surface of the inner ring,

the fourth raceway formed on the inner peripheral surface of the sleeve so as to correspond with the third raceway,

balls of a second row interposed between the third and fourth raceways, and

a chamber with a front and back portions formed in the base for accommodating electrical components, the back portion of the chamber is [adapted to be] sealed by a removable cover,

wherein the chamber is formed by the base having a flange extending to form the back portion from an outer periphery thereof forming a cylindrical body with a closed end, the chamber having a rear opening at the back portion, and the rear opening of the base is occluded by the cover detachably mounted by screws on the base.

CONCLUSION


8. Any inquiry concerning this communication from the examiner should be directed to John F. Belena, Ph.D. whose telephone number is (703) 305-3533. The examiner can normally be reached on Monday through Thursday from 9:00 AM to 5:00 PM. The examiner can also be reached on

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Art Unit: 3746

alternate Fridays from 9:00 AM to 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy S. Thorpe, can be reached on (703) 308-0102. The fax number for this Group Art Unit 3746 is (703) 872-9302. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group Art Unit 3746 receptionist whose telephone number is (703) 308-0861.

John F. Belena
GAU 3746
11/06/02


CHARLES G. FREAY
PRIMARY EXAMINER

13



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

7590

11/22/2002

ISRAEL GOPSTEIN, Esq.
14301 Layhill Rd., Suite 200C
P.O. Box 9303
Silver Spring, MD 20916-9303

EXAMINER

BELENA, JOHN F

ART UNIT

CLASS-SUBCLASS

3746

417-423100

DATE MAILED: 11/22/2002

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/804,198	03/13/2001	Rikuro Obara	2523-061	9185

TITLE OF INVENTION: AXIAL ELECTRIC FAN BLOWER WITH ELECTRIC COMPONENTS HOUSING SEALED FROM MOISTURE, DIRT, AND DUST OR OTHER HARMFUL GAS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1280	\$300	\$1580	02/24/2003

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

☐ Applicant claims SMALL ENTITY status.
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** **Box ISSUE FEE**
Commissioner for Patents
Washington, D.C. 20231
Fax **(703)746-4000**

INSTRUCTIONS: This form should be used for transmitting the **ISSUE FEE** and **PUBLICATION FEE** (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

7590

11/22/2002

ISRAEL GOPSTEIN, Esq.
14301 Layhill Rd., Suite 200C
P.O. Box 9303
Silver Spring, MD 20916-9303

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/804,198

03/13/2001

Rikuro Obara

2523-061

9185

TITLE OF INVENTION: AXIAL ELECTRIC FAN BLOWER WITH ELECTRIC COMPONENTS HOUSING SEALED FROM MOISTURE, DIRT, AND DUST OR OTHER HARMFUL GAS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional

NO

\$1280

\$300

\$1580

02/24/2003

EXAMINER	ART UNIT	CLASS-SUBCLASS
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BELENA, JOHN F

3746

417-423100

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____
2 _____
3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) ☐ individual ☐ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

☐ Issue Fee

☐ Publication Fee

☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):

☐ A check in the amount of the fee(s) is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Commissioner is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date)

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS FORM WITH FEE(S)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/804,198

03/13/2001

Rikuro Obara

2523-061

9185

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11/22/2002

EXAMINER

BELENA, JOHN F

ART UNIT

PAPER NUMBER

3746

DATE MAILED: 11/22/2002

ISRAEL GOPSTEIN, Esq.
14301 Layhill Rd., Suite 200C
P.O. Box 9303
Silver Spring, MD 20916-9303

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The patent term adjustment to date is 0 days. If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the term adjustment will be 0 days.

If a continued prosecution application (CPA) was filed in the above-identified application, the filing date that determines patent term adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system. (<http://pair.uspto.gov>)

Any questions regarding the patent term extension or adjustment determination should be directed to the Office of Patent Legal Administration at (703)305-1383.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/804,198	03/13/2001	Rikuro Obara	2523-061	9185

7590 11/22/2002

ISRAEL GOPSTEIN, Esq.
14301 Layhill Rd., Suite 200C
P.O. Box 9303
Silver Spring, MD 20916-9303
UNITED STATES

EXAMINER

BELENA, JOHN F

ART UNIT

PAPER NUMBER

3746

DATE MAILED: 11/22/2002

Notice of Possible Fee Increase on October 1, 2002

If a reply to a "Notice of Allowance and Fee(s) Due" is filed in the Office on or after October 1, 2002, then the amount due may be higher than that set forth in the "Notice of Allowance and Fee(s) Due" since there may be an increase in fees effective on October 1, 2002. See Revision of Patent and Trademark Fees for Fiscal Year 2003; Notice of Proposed Rulemaking, 67 Fed. Reg. 30634, 30636 (May 7, 2002). Although a change to the amount of the publication fee is not currently proposed for October 2002, if the issue fee or publication fee is to be paid on or after October 1, 2002, applicant should check the USPTO web site for the current fees before submitting the payment. The USPTO Internet address for the fee schedule is: <http://www.uspto.gov/main/howtofees.htm>.

If the issue fee paid is the amount shown on the "Notice of Allowance and Fee(s) Due," but not the correct amount in view of any fee increase, a "Notice to Pay Balance of Issue Fee" will be mailed to applicant. In order to avoid processing delays associated with mailing of a "Notice to Pay Balance of Issue Fee," if the response to the Notice of Allowance and Fee(s) due form is to be filed on or after October 1, 2002 (or mailed with a certificate of mailing on or after October 1, 2002), the issue fee paid should be the fee that is required at the time the fee is paid. If the issue fee was previously paid, and the response to the "Notice of Allowance and Fee(s) Due" includes a request to apply a previously-paid issue fee to the issue fee now due, then the difference between the issue fee amount at the time the response is filed and the previously paid issue fee should be paid. See Manual of Patent Examining Procedure, Section 1308.01 (Eighth Edition, August 2001).

Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

Interview Summary

Application No.

09/804,198

Applicant(s)

OBARA, RIKURO

Examiner

John F Belena

Art Unit

3746

All participants (applicant, applicant's representative, PTO personnel):

(1) John F Belena.

(3) _____.

(2) Israel Gopstein.

(4) _____.

Date of Interview: 07 November 2002.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.
If Yes, brief description: _____.

Claim(s) discussed: 1-10.

Identification of prior art discussed: _____.

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Claims 1-4, 6, 8 and 10 were discussed to resolve 112 (2nd) issues.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☒ It is not necessary for applicant to provide a separate record of the substance of the interview(if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case unless both applicant and examiner agree that the examiner will record same. Where the examiner agrees to record the substance of the interview, or when it is adequately recorded on the Form or in an attachment to the Form, the examiner should check the appropriate box at the bottom of the Form which informs the applicant that the submission of a separate record of the substance of the interview as a supplement to the Form is not required.

It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.